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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PAUL MICHAEL MARCINIAK,

Defendant.

CASE NO.: 2:17-cr-00014-JAD-PAL

**STIPULATION TO CONTINUE
STATUS CONFERENCE**

(FIRST REQUEST)

IT IS HEREBY STIPULATED AND AGREED, by Defendant Paul Michael Marciniak, by and through his attorney, Thomas A. Ericsson, Esq., and the United States of America, by and through Steven W. Myhre, Acting United States Attorney, and Daniel Cowhig, Assistant United States Attorney, that the status conference currently scheduled for August 28, 2017, at the hour of 9:30 a.m., be vacated and continued for two (2) weeks, to a date and time that is convenient to this Honorable Court. The request for a continuance is based upon the following:

1. Thomas Ericsson, counsel for Defendant Paul Marciniak, is currently involved in a capital murder trial in the Eighth Judicial District Court of Nevada (State of Nevada v. John Valerio, 87C077268), which conflicts with the time set for the status conference.
2. Defense counsel also requires additional time to consult with Defendant Marciniak about the progress he has made in resolving his outstanding cases.
3. Defense counsel has spoken to Assistant United States Attorney Daniel Cowhig, and the Government has no objection to the continuance.

4. Defense counsel has not spoken to Mr. Marciniak, who is not in custody, about the continuance.
5. The additional time requested herein is not sought for the purposes of undue delay.
6. This is the first stipulation to continue the status conference filed herein.
7. Additionally, denial of this request for a continuance could result in a miscarriage of justice.

DATED: August 25, 2017.

Respectfully submitted,

/s/ Thomas A. Ericsson

Thomas A. Ericsson, Esq.
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1050 Indigo Dr., Suite 120
Las Vegas, Nevada 89145
Attorney for Defendant Marciniak

/s/ Daniel Cowhig

Daniel Cowhig
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Attorney for the United States of America

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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,
Plaintiff,
vs.
PAUL MICHAEL MARCINIAK,
Defendant.

CASE NO.: 2:17-cr-00014-JAD-PAL

**FINDINGS OF FACT, CONCLUSIONS
OF LAW, AND ORDER**

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds:

1. Thomas Ericsson, counsel for Defendant Paul Marciniak, is currently involved in a capital murder trial in the Eighth Judicial District Court of Nevada (State of Nevada v. John Valerio, 87C077268), which conflicts with the time set for the status conference.
2. Defense counsel also requires additional time to consult with Defendant Marciniak about the progress he has made in resolving his outstanding cases.
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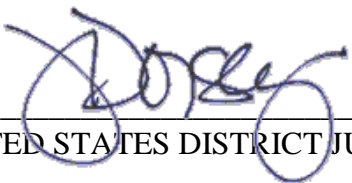
CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interests of the public in proceeding with the status conference as scheduled, since the failure to grant said continuance would be likely to result in a miscarriage of justice, taking into account the exercise of due diligence.

ORDER

IT IS THEREFORE ORDERED that the status conference in this matter scheduled for August 28, 2017, be vacated and continued to September 11, 2017, at 9:30 a.m.

DATED this 25th day of August, 2017.


UNITED STATES DISTRICT JUDGE